REMARKS

It is respectfully submitted that the final rejection simply ignores most, if not every single, limitation in the claims. Instead, it analyzes an invention which is no longer the subject of the pending claims. It analyzes priority of packets, instead of secure versus non-secure packets, as claimed. It never even addresses, much less mentions, the limitations in claim 1, for example, to identifying the "next" security packet to be transmitted. The cited references do not even relate to transmission, much less transmission of security packets. Nor is there any attempt to show that the next security packet to be transmitted is ever identified in any of the conglomeration of references. The same can be said for the next non-secure packet.

Instead, paragraphs a, b, c under paragraph 3, on page 2, simply continue to analyze high and low priority packets and then make the somewhat incredible proposition that high and low priority packets are the same thing as secure and non-secure packets. Secure and non-secure have no correlation to high or low priority and, thus, the analogy does not work.

Moreover, the cited reference to Peterson does not help the rejection. It has nothing to do with the invention claimed here, which goes to transmitting packets. Peterson is simply a memory, such as a DVD, which is securing packets. If Peterson includes an identifier, this does not mean he could identify secure versus non-secure packets. This is because, in Peterson, the identifier is the same for the secure and the non-secure packets. Thus, the identifier would be no help in distinguishing the secure and the non-secure packets, nor is there any suggestion in Peterson that he has any interest whatsoever in doing so.

Specifically, if you look at Peterson in Figure 1, you can see that the identifier 24 is provided on a stack of data. The first thing in that stack is the non-secure data 26 and then, thereafter, it is the secured data 28. There is no reason to believe that the identifier could possibly be used to distinguish the secure and the non-secure packets.

Neither the combination of Cidon or Peterson meet any of the limitations of receiving a plurality of packets including security packets and non-security packets, identifying the next security packet to be transmitted, or identifying the next non-security packet to be transmitted.

The next limitation is determining whether the next security packet is ready to be transmitted. Since there is no identifying of the next security packet, there is no identifying of whether it is ready to be transmitted. The claim goes on to call for transmitting the next security

packet and if the next security packet is ready for transmission, transmitting the next security packet. There is no analysis in the office action whatsoever of transmitting security packets.

In paragraph e, there is a discussion about determining which packet takes more time to process. But there is no implication in the claim that security or non-security packets take more time to process. The implication is that you must determine whether the next packet to be transmitted is security or non-security. The cited prior art simply does not do this.

Moreover, the claim goes on to call for processing the security packet while transmitting the non-security packet. As well as can be determined, there is no effort to analyze this limitation.

The suggestion in d that it is inherent that packet switching be utilized, assumes that packet switching is the only way to send the data. This is simply unsupportable and there is no basis to conclude that there are any packets, much less security and non-security packets, in the cited Cidon reference, which seems to present an insurmountable burden to the continued reliance on either Cidon or Peterson.

In paragraph 4, on page 4, it is suggested that Cidon does not explicitly recite how priority is assigned. It seems that this is irrelevant since priority is nowhere specified in the claim language. It is suggested that Taniguchi teaches a method for transmitting data packets across the network based on priority. Of course, there is no such limitation existent in any of the claimed elements and, therefore, the analysis seems misplaced.

Paragraph 5 argues that it would be obvious to combine Cidon and Taniguchi in order to more effectively distribute audio or video data over a packet switching network. This is not a reason that you would need to identify the next security or non-security packet, send the security packet, if it is ready, process the security packet if it is not, while sending the non-security packet in any of the cited references. The fact that modification of the references might be done to more effectively distribute audio and video data seems to hardly result in a system for transmitting security and non-security packets.

Thus, it is believed that the rejection of claim 1 should be reconsidered.

Respectfully submitted,

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